

REMARKS

This Amendment is in reply to the Official Action mailed on October 12, 2005.

Claims 13-32 are pending, among which claims 13, 30 and 31 have been amended.

Claims 1-12

The Office Action Summary sheet (PTO:-326) indicates that claims 1-32 are pending and that claims 1-12 are withdrawn from consideration. In the Preliminary Amendment submitted in this application, claims 1-12 were canceled.

Accordingly, only claims 13-32 are now pending.

Rejection Under 35 U.S.C. § 112, ¶2

According to the Patent Office, claims 13-32 do not satisfy 35 U.S.C. § 112, ¶2 because they are incomplete in that they are said to omit essential steps. Specifically, the Patent Office reasons that a communication link is required "on a recognized common frequency channel prior to synchronizing to another transmission frequency."

Applicant agrees that a common frequency channel is required for communication between two communicators or between a vehicle and a communicator. However, the control signal need not be broadcast on the *same* frequency as used for communication between persons, nor must it be on any *particular* frequency in order to enable synchronized communication. For this reason, Applicant respectfully traverses the rejection under 35 U.S.C. § 112, ¶2.

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The “control signal” identifies the transmission frequency for the communication channel to be used, but can be different than the actual communication channel between persons using the communicators. The control signal can be a data packet transmitted on any frequency within the normal range of frequencies used for communication, or can be “another signal” encoded to identify the transmission frequency. See Paragraph [0032] of the Specification: The receiver ‘listens’ for the control signal and establishes a common channel or frequency for communication between persons using the two communicators. Accordingly, the control signal need not be on a “recognized common frequency,” the step asserted to be missing from the claims.

The amendments to independent claim 13 clarify that the control signal is different than the transmission frequency “that is presently being used for the communication by the person in the initiating vehicle.” Amended claim 13 is complete in reciting the necessary steps of “transmitting a control signal from an initiating vehicle” and “receiving the control signal at the recipient vehicle.” Respectfully, the prior art is not understood as requiring anything further of the transmitted and received control signal.

With respect to independent claim 30, the steps of transmitting control signals from the initiating vehicle and receiving the control signal at the recipient vehicle are sufficient to enable the step of changing the transmission frequency of the recipient vehicle “to the first synchronized frequency” so as to enable communication of audio messages between the communicators.

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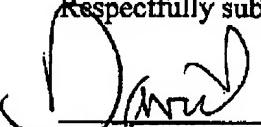
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With respect to independent claim 31, the amendments concern the feature that synchronization is for communications "at said any given moment" which was inherent in the unamended claim, and also eliminate the "when used" requirement. The remaining amendments generally set forth that the system is operable to permit synchronized communication on a common, low-noise channel through the use of transmit and receive buttons which operate to transmit and accept control signals that permit such synchronization.

Reconsideration and withdrawal of the outstanding rejection is requested.

Respectfully submitted,


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